

REMARKS

Applicant has amended the claims 1, 13, 14 and 15. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed (see Figures 3, 5, 11, 13, 14, 16, 17, 20, 22, 23, 26, 28, 29, 31 and 32 and the description associated therewith). Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected the claims 1 through 13 under 35 USC 102 as being anticipated by Japanese reference 2002-120764 (Applicant respectfully submits that this is a typographical error and it should be 2002-120754 and accordingly Applicant will refer to it as JP '754) stating that JP '754 discloses all of the present invention and particularly discloses an octothorp-shaped chassis frame formed by joining and end portion of a joining member in a budding contact with the outer face of a joined member, wherein the joining member is formed of a hollow pipe, the end portion of the joining member is gradually expanded to form a joint expanded in a flared skirt shape, and an outer end of the joint is brought into contact with and welded to the outer face of the joined member to join the joining member to the outer face of the joined member.

In reply to this rejection, Applicant has carefully reviewed JP '754 and respectfully submits that it does not disclose a flared skirt shaped joint expanded in an expanding direction of a joined member and made integrally therewith. In contrast thereto, Applicant's invention requires a flared skirt shaped joint expanded at least in the expanding direction of the joined member, all of which is shown in Figures 3, 11, 14, 17, 20, 23, 26, 29 and 32. In addition, Applicant respectfully submits that such a construction provides certain advantages. In particular, in Applicant's application the joining strength and rigidity are compared between "the embodiment" having the structure of Figure 32 and "the conventional art" having the structure of Figure 33. As can be seen from Figure 32, the conventional art does not have the flared skirt shaped joint expanded in the expanding direction and is substantially the same as the joint of JP '754 which omits such a reinforcing member. As summarized in Table 1 of Applicant's application, general stress and the amount of displacement at the loading point of the embodiment of Applicant's invention were lower than those of the conventional art when

bending loads towards the X direction, Y direction and the Z direction were applied to the point A of the frame.

Based upon the above described comparison, Applicant respectfully submits that the frame of JP '754 is weaker than that of Applicant's invention. In other words, the frame of JP '754 must be reinforced using the reinforcing member (607) or separating a cross member to an upper member 2 and a lower member 3 (see Figures 4, 7 and 8 of JP '754). Since the joint of Applicant's invention substantially functions as a reinforcement (namely made integrally with joining member) no additional reinforcement is needed and there is no need to separate the joining member to the upper member and the lower member.

Still further, Applicant respectfully submits that Applicant's independent claim 13 claims a method and Applicant has amended the claim 13 to include the limitation of the shape of the forming punch and also that the joint is made integrally with the joining member. So that the Examiner can better understand this construction, attached to this amendment is Reference Drawing I which corresponds to a front view of the Figures 7 and 8 and this Reference Drawing I is not to be added to the drawings of the present application and is not a Replacement Figure.

In view of the above, therefore, Applicant respectfully submits that JP '754 does not disclose each and every element of Applicant's invention as claimed and the claims 1 through 13 are not anticipated by Japanese reference 2002-120754.

The Examiner has further rejected the claims 13 through 15 under 35 USC 103 as being obvious over JP '754 in view of Japanese reference 2002-178043 (JP '043) stating that JP '754 discloses all of the present invention except for the flared skirt shaped joint formed at the end portion of the joining members formed, using a forming punch comprising a base portion having a surface following a pattern of the outer space of the joined member, and a flared skirt shape protruding portion protruding from the base portion in a protruding direction aligned with a direction in which the joining member joins to the joined member, by pushing the flared skirt shaped protruding portion of the forming punch into the end portion of the position fixed joining member by aligning the protruding direction of the flare-skirt-shaped protruding portion with an axial direction of the joining member, to expand the end portion of the joining member by the flare-skirt-shape protruding portion; JP '043 teaches a flared skirt shaped joint formed at the end of the joining member is formed, using a forming punch

comprising a base portion having a surface following a pattern of the outer face of the joined member, and a flared skirt shaped protruding portion protruding from the base portion in a protruding direction aligned with a direction in which the joining member joins to the joined member, by pushing the flared skirt shaped protruding portion of the forming punch into the end portion of the position fixed joining member by aligning the protruding direction of the flared skirt shaped protruding portion with an axial direction of the joining member, to expand the end portion of the joining member by the flared skirt shaped protruding portion; and it would have been obvious to one of ordinary skill in the art to modify JP '754 with the teachings of JP '043.

In reply to this rejection, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and JP '754. In addition, Applicant has carefully reviewed JP '043 and respectfully submits that it discloses that the flared portion is finally processed to a flange 2 having an annular projection 3. This flange 2 in JP '043 are for gripping a seal member 5 tightly between two opposing flanges of two pipes. Accordingly, Applicant respectfully submits that the construction of JP '043 is for forming a portion which is completely different from that of Applicant's invention and one of ordinary skill in the art would not look to the teachings of JP '043 since it is a non-analogist art and a non-analogist use. Still further, JP '754 does not show, suggest or teach the use of a forming punch. Therefore, Applicant respectfully submits that the combination suggested by the Examiner would not be suggested to one of ordinary skill in the art.

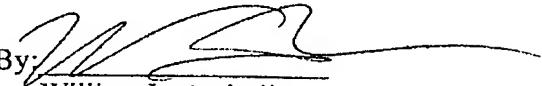
In view of the above, therefore, Applicant respectfully submits that the claims 13 through 15 are not obvious over Japanese reference 2002-120754 in view of Japanese reference 2002-178043.

Applicant further respectfully and retroactively requests a one (1) month extension of time to respond to the Office Action and respectfully requests that the extension fee in the amount of \$130.00 be charged to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

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